

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: **WEN-HSIANG YUEH**

SERIAL NO.: 10/816,813

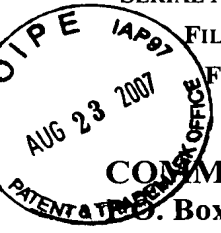
GROUP ART UNIT: 2615

FILED: April 5, 2004

EXAMINER: Walter F. Briney III

FOR: MP3 PLAYER HAVING A WIRELESS EARPHONE  
COMMUNICATION WITH A MOBILE

ATTY. REFERENCE: YUEH3010/BEU



**COMMISSIONER OF PATENTS**

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a communication/amendment in the above-identified application.

- ☐ Small entity status under 37 CFR 1.9 and 1.27 is claimed.
- ☒ No additional fee is required.

The fee, if any, has been calculated as shown below:

Fee Basis	Number of Claims After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity	Full Fee
Total Claims		- <sup>1</sup>	= <sup>3</sup>	× \$ 25 =	× \$ 50 =
Independent Claims		- <sup>2</sup>	= <sup>3</sup>	× \$100 =	× \$ 200 =
<input type="checkbox"/> First Presentation of Proper Multiple Dependent Claim				+ \$180 =	+ \$360 =
<b>TOTAL</b>					

<sup>1</sup> If less than 20 enter 20.

<sup>2</sup> If less than 3 enter 3.

<sup>3</sup> If less than 0 enter 0.

- ☐ Please charge my **Deposit Account Number 02-0200** in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is attached.
- ☐ A check in the amount of \$ \_\_\_\_\_ is attached.
- ☐ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is attached.
- ☐ Also enclosed is/are:

23364

Customer Number  
Phone: (703) 683-0500

DATE: August 23, 2007

Respectfully submitted,

John Schaefer  
Attorney for Applicant  
Registration Number: 47,921



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wen-Hsiang YUEH  
Appl. No.: 10/816,813  
Filed: April 5, 2004  
Title: MP3 Player Having a Wireless Earphone Communication  
With a Module

Confirmation No: 2602

TC/A.U. 2615  
Examiner Walter F. BRINEY III

Docket No.: YUEH3010/BEU  
Customer No: 23364

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

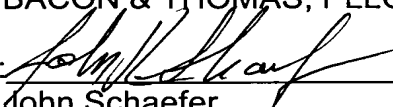
Sir:

This is in response to the Official Action of July 23, 2007, in connection with the above identified application.

The Official Action is a restriction requirement in which it is urged that there are two separate and distinct inventions claimed in this application. Applicants elect the species of Figures 3 and 4 invention which is recited in claims 1-50, without traverse. Applicants reserve the right to file one or more divisional applications on the non-elected inventions at a later time.

In view of the election of the Group I invention, without traverse, an early and favorable action on the merits is now believed to be in order and is most respectfully requested.

Respectfully submitted,  
BACON & THOMAS, PLLC

By:   
John Schaefer  
Registration No. 47,921

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August 23, 2007  
Restriction Requirement.wpd